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SENSITIVE
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DEPARTMENT FOR DRL

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SUBJECT: SCENESETTER FOR DRL ASSISTANT SECRETARY DAVID KRAMER; AUGUST 17-18

REF: A. MEXICO 2353

[B.](#) MEXICO 2337

¶1. (SBU) Summary: Welcome to Mexico City. Mexico remains key to USG success in combating the trafficking of drugs, persons, arms and precursors, terrorism, and other transnational threats. Although President Calderon has made great strides in taking on Mexico's drug cartels and improving public security, these advances have come at a high human price for both civilians and officials at the federal, state, and municipal levels. Facing multiple law enforcement challenges while attempting to sharpen the capabilities of the weak policing tool in its possession, the GOM's robust plan to combat organized crime has drawn criticism from some civil society groups concerned that safeguards to protect human rights in Mexico are being overshadowed by national security concerns. On the other hand, sectors almost universally applaud judicial reforms which, once implemented, should greatly enhance rule of law. End Summary

Political Landscape

¶2. (SBU) The president faces a hardening political environment here, in the advance of legislative and key gubernatorial elections next year. The window of opportunity to effectively cooperate with a divided congress on major reform initiatives, such as the currently pending energy reform, is rapidly closing. While security issues are paramount, prosperity is also a key priority in the minds of most Mexicans. Calderon has successfully passed some important economic reforms but more are needed to significantly raise growth rates, especially in light of current global trends.

Justice Reform

¶3. (SBU) The human price Mexico is paying for the war on organized crime remains high, with almost 2000 drug related killings so far in 2008, including 194 police and military officials. A new disturbing trend in recent months has been the slaying of several senior police officials. In June, President Calderon signed into law major judicial reform legislation to facilitate transition to an oral trial system, give law enforcement officials broader search and seizure authority, allow consensual monitoring of telephone calls, and give police more responsibility for conducting investigations. Effective implementation of the legislation will make the Mexican system work more transparently, expeditiously, and fairly. A share of Merida Initiative support is tagged to assist Mexico with putting this improved system into place.

¶4. (SBU) The procedural codes for consistent implementation

of the police reforms at the federal, state and municipal levels are currently being discussed in the Mexican Congress.

A law designed to protect the human rights of Mexican law enforcement officials is also being discussed in the legislative body. Essentially, this law would standardize salaries, benefits, training and educational opportunities, and promotion opportunities for all law enforcement officials. This past April, the Public Security Secretariat (SSP) initiated the program Plataforma Mexico (Mexican Platform), which provides distance learning training to federal police officials throughout the country. Through technical coordination with Mexico's National Autonomous University, 10,000 officials have been trained nationally. Although the program has not been officially instituted at the state and municipal levels, SSP has extended distance learning courses to 115 priority municipalities where an estimated 70 percent of the Mexican population resides and where 80 percent of all crimes reportedly occur.

Human Rights

15. (SBU) By historic standards in the region, the Mexican military's track record on human rights is good. Since the year's inception, there have been seven reported shootings of civilians by soldiers at military checkpoints. Human rights NGOs argue these shootings constitute a pattern of gross violations of human rights, more specifically the "right to life". While not all checkpoint shootings appear to constitute a "gross violation of human rights" by international standards, these incidents clearly involve

MEXICO 00002470 002 OF 003

serious breaches of military discipline and professionalism. The Mexican Military (SEDENA) has taken steps in recent months to address the issue of accountability for soldiers accused of committing human rights violations through the creation of the Directorate General for Human Rights, but it remains reluctant to engage civil society. The National Human Rights Commission accepts civilian complaints against all public officials and ministries, including SEDENA. Once an allegation of human rights abuse has been investigated, a non-binding recommendation is issued.

Key Issues

16. (SBU) Leahy Vetting: Despite the GOM's sensitivity to the vetting issue, Embassy officials have consulted with the SRE regarding the procedures and requirements for Merida-related vetting. The Embassy maintains regular contact with the National Human Rights Commission (CNDH) as well as with the human rights community and continues to seek their input to enhance and expand the local database used by the Embassy to check potential recipients of US assistance. The Embassy continues to make use of close contacts with the Office of the Attorney General and the Ministries of Public Security, Government, Defense and the Navy to accumulate data and review information related to potential recipients of USG assistance.

17. (SBU) To manage the vetting process at Embassy Mexico City, Post has recently hired a full-time vetting coordinator. Additionally, GOM representatives have informed us that they intend to establish an internal, interagency process to more closely review the credentials of potential recipients of US assistance under the Merida Initiative. While this effort by the Government of Mexico is not intended to replace USG vetting, it can effectively complement USG efforts.

17. (SBU) UNHCHR: May 23 marked Amerigo Inglaterra's last day as UN High Commissioner in Mexico City. Although the motive for his departure has not been confirmed, allegedly

Calderon's administration asked Louise Arbor, the UN High Commission for Human Rights, to remove Inglaterra after he made a number of controversial statements criticizing the Mexican Military's role in the fight against organized crime and for his public statements in support of a recent Human Rights Watch report criticizing the CNDH for not pressuring the Mexican government to address human rights concerns. The Merida Initiative designates a USD 1 million earmark for UNHCHR to conduct human rights training for Mexican Military officials serving in traditional military roles. The issue stirred some controversy in Mexico when it was initially mentioned through national press sources.

18. (SBU) Brad Will Case: Progress on the Brad Will case remains slow despite vigorous efforts by the Will family and Embassy engagement. Embassy officials, including Ambassador Garza, have continued to express the concerns and the interest of the US government and the Will family to the Mexican federal and Oaxaca state authorities. To date, no charges have been filed.

19. (SBU) Civil Society: Provided that human rights concerns are adequately addressed, human rights defenders are willing to support the Merida Initiative. Attitudes regarding the military's engagement in the GOM's anti-narcotics operations range from ambivalence to complete opposition. In recent months, several NGOs have contrasted what they characterized as President Calderon's hands-off approach to civil society concerns with that of the former president. The Fox administration, they argue, established clear channels for dialogue with civil society groups and permitted greater access to law enforcement elements, particularly the PGR whereas the Calderon administration has eliminated such avenues.

110. (SBU) Despite the criticisms of some human rights NGOs, Calderon has, in fact, shown interest in civil society's concerns and has made substantive efforts to incorporate its opinions into the GOM's overall human rights agenda. Putting his personal stamp on a Fox administration initiative to improve police-civilian interface, on June 25, President Calderon inaugurated a new Board of Directors for the Citizen Participation Council (CPC) of the Attorney General's Office (PGR) and announced the reactivation of toll free emergency phone numbers, which will allow citizens to send in anonymous tips. President Calderon had earlier called on citizens to provide crime information to police using a complaint system

MEXICO 00002470 003 OF 003

that has been in place for nearly six years. Although some remain skeptical of the effort, the president's underscoring of its importance could have a salutary effect.

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